IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

APPEAL FROM ORDER No 394 of 1999

with

CIVIL APPLICATION No 11363 of 1999

For Approval and Signature:

HON'BLE MR.JUSTICE K.S.JHAVERI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

AHMEDABAD MUNICIPAL CORPORATION

Versus

SOHAM INDUSTRIAL OWNERS ASSOCIATION

Appearance:

1. Appeal from Order No. 394 of 1999

MR RR MARSHALL for Appellant No.

MR BK OZA for Respondent No. 1

MR GM JOSHI for Respondent No. 1

CORAM : HON'BLE MR.JUSTICE K.S.JHAVERI

Date of decision: 11/01/2005

ORAL JUDGEMENT

1. The appellant Ahmedabad Municipal Corporation has preferred this Appeal from Order against the order dated 16/06/1999 passed by the learned City Civil Judge, Ahmedabad below Exh.16 application in Civil Suit No.1921 of 1999, whereby on payment of security charges and on an undertaking to carry out construction work strictly according to the sanctioned plan, the chamber summons was allowed.

2. While admitting this Appeal from Order, this Court by order dated 14/10/1999 passed in the aforesaid Civil Application had directed the parties to maintain status quo till 04/11/1999. The said status quo is continued till today. Hence, it would be appropriate to direct the parties to maintain status quo till the suit pending before the trial Court is disposed of finally.

3. Therefore, without entering into the merits of the matter, the appellant is directed to make an application for expediting the hearing of Civil Suit No.1921 of 1999 pending before the City Civil Court, Ahmedabad. On receipt of the said application from the appellant, the trial Court shall hear and dispose of the said suit as expeditiously as possible and preferably within a period of two years from the date of the said application.

4. With the above observations and directions, the Appeal from Order and the Civil Application stand disposed of. Parties are directed to maintain status quo till the said suit is finally disposed of.

[K. S. JHAVERI, J.]
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